THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.13036 OF 2005

Dated: 18-11-2005

Between

M/s. Model Gas Service, Rep. by its Proprietor G. Dilip Kumar,
S/o. G. Ram Mohan Rao, H.No.2, Emerald House, Karkhana, Secunderabad.

...PETITIONER

AND

M/s. Hindustan Petroleum Corporation rep. by its Chief Regional Manager, HCL Post Office, Cherlapally – 500 051.

...RESPONDENT

ORDER:

Petitioner questions the action of the respondent in terminating his dealership as illegal and requests to set aside the termination order dated 18.04.2005.

It is stated that subject matter of this writ petition is squarely covered by judgments of this Court in various writ petitions and one of those writ petitions is WP.No.2494 of 2005 wherein this Court by order dated 23.03.2005 disposed of the writ petition on the ground that there is an alternative remedy of arbitration as provided in Clause 38 of the Dealership Agreement.

In the instant case the alternative remedy of arbitration is provided in Clause 37 of the Dealership Agreement. Accordingly, the writ petition is disposed of directing the petitioner to

avail the alternative remedy in the appropriate forum.

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V. ESWARAIAH, J

November 18, 2005

DSK